



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **C-1**

January 4, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS
SUPERVISORIAL DISTRICTS 1, 4, AND 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

Award and authorize the Interim Director of Public Works or his designee to prepare the construction and maintenance services contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractors for the following:

Project ID No. FCC0000628 - Santa Clara River Invert Access Ramp at Honby Avenue, City of Santa Clarita (5), to Mendez Concrete, Inc., in amount of \$219,501.40.

Project ID No. RMD1446012 - Parkway Tree Trimming, Fast Growth, RD 416, FY 2004-05, vicinities of Whittier and Hacienda Heights (4), to Orozco Landscape and Tree Co., in amount of \$122,600.00.

Project ID No. RMD4146007 - Parkway Tree Trimming, RD 142, FY 2004-05, vicinities of City Terrace and East Los Angeles (1), to Trimming Land Company, Inc., in amount of 83,426.00.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

We are recommending that your Board award these construction and maintenance services contracts and authorize the Interim Director of Public Works or his designee to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

The enclosure for each project includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also enclosed.

The recommended construction and maintenance services contracts are necessary to execute Board-directed and approved Public Works projects in support of operational missions. Your Board's approval of the recommended contract awards and our subsequent execution of the contracts will ensure the timely completion of the projects.

Implementation of Strategic Plan Goals

The award of these construction and maintenance services contracts is consistent with the County Strategic Plan Goal of Service Excellence since these contracts will provide improved infrastructure to better serve the public.

FISCAL IMPACT/FINANCING

The enclosure for each project includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

These projects are included in the 2004-05 Department of Public Works Budget. The enclosure for each project includes more detailed fiscal and financial information.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Recommended contract awards are to the lowest responsible bidders in accordance with the California Public Contract Code and your Board's directives.

On October 27, 1981, your Board adopted a program for the use of small Minority and Women-owned Businesses (MWBs) on Federal- and State-funded highway construction contracts. Companies meeting these requirements are certified by the State as Disadvantaged Business Enterprises (DBEs). An overall goal for subcontracting portions of the work to DBEs is established for each project. Contracts are recommended for award to the lowest responsible bidder who meets the goal or documents a good faith effort to do so in conformance with the program.

We have also developed an outreach program to encourage all qualified contractors to participate in the bidding and contracting process on our projects. Under this program, we place notices of upcoming bids in local and minority newspapers throughout the County. These notices indicate that copies of plans and specifications are available at specified libraries and the Public Works Headquarters building. This allows interested contractors to view the plans and specifications at convenient locations. We also provide telephone numbers (including one for Spanish-speaking contractors) to obtain further information on bidding and subcontracting opportunities.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

The contracts will be in the form previously approved by County Counsel. We will also review and approve the faithful performance and payment bonds filed by the contractors.

ENVIRONMENTAL DOCUMENTATION

On December 3, 2002, your Board approved the Negative Declaration for Project ID No. FCC0000628.

The remaining projects were found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the enclosure for each project.

CONTRACTING PROCESS

The contracts were solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

Public Works has confirmed that all of the respective contractors are in compliance with the County's Child Support Compliance Program and the requirements of the Contractor Employee Jury Service Program. In addition, the contracts will include language requiring compliance with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contracts are awarded to responsible contractors with satisfactory performance histories, bidders are required to report False Claims Act violations, labor law/payroll violations, debarments, their civil litigation history, and information regarding prior criminal convictions. The information reported by all of the respective contractors was considered before making this recommendation to approve execution of the contracts.

The Honorable Board of Supervisors
January 4, 2005
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

These construction and maintenance services contracts will result in improved public works infrastructure in the communities where the work is scheduled. Where appropriate, local residents and businesses will be informed that traffic and local access may be mildly disrupted during the construction. The proposed schedules for construction are included in the enclosure for each project.

CONCLUSION

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE
Interim Director of Public Works

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Enc. 3

cc: Chief Administrative Office
County Counsel
Office of Affirmative Action Compliance

AWARD OF CONTRACT
January 4, 2005

PROJECT ID NO. FCC0000628, SANTA CLARA RIVER INVERT ACCESS RAMP AT HONBY AVENUE (City of Santa Clarita), Supervisorial District 5

TYPE OF WORK: Construction of a reinforced concrete invert access ramp, asphalt concrete pavement, and other appurtenant work.

CALL FOR BIDS DATE: November 30, 2004 (Synopsis 56)

BID OPENING DATE: December 28, 2004

BID SUMMARY:

| | | |
|-----|--|--------------|
| Low | *Mendez Concrete, Inc., a corporation 1210 East Santa Paula Street Santa Paula, California 93060 (805) 525-8043 | \$219,501.40 |
| 2 | *4-Con Engineering, Inc. | \$235,528.00 |
| 3 | Union Engineering Company, Inc. | \$240,636.00 |
| 4 | Calex Corporation | \$242,794.08 |
| 5 | Excel Paving Company | \$249,210.00 |
| 6 | McLaughlin Construction, Inc. | \$459,646.80 |

*MWBE

FINANCIAL INFORMATION:

| | |
|---|--------------|
| Amount of estimate | \$219,485.00 |
| Amount of recommended contract | \$219,501.40 |
| Amount of recommended contract above estimate | \$ 16.40 |

The amount of the recommended contract is .01 percent above the estimate.

Sufficient funds for this project are available to the Flood Control District for the Fiscal Year 2004-05.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Mendez Concrete, Inc., an MBE, has no MWBE subcontractors/suppliers under this contract. This contract does not have a Federal- or State-mandated DBE goal.

ENVIRONMENTAL IMPACT:

On December 3, 2002, your Board approved the Negative Declaration for this project.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 45 working days. It is estimated that the work will start in March and be completed in May 2005.

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AWARD OF CONTRACT
January 4, 2005

PROJECT ID NO. RMD1446012, PARKWAY TREE TRIMMING, FAST GROWTH,
RD 416, FY 2004-05 (in the vicinities of Whittier and Hacienda Heights),
Supervsiorial District 4

TYPE OF WORK: Trimming of parkway trees.

CALL FOR BIDS DATE: November 30, 2004 (Synopsis 46)

BID OPENING DATE: December 28, 2004

BID SUMMARY:

| | | |
|-----|--|--------------|
| Low | *+J. Orozco Enterprises, Inc., a corporation dba Orozco Landscape and Tree Co. P.O. Box 1140 Glendora, California 91740 (909) 623-8287 | \$122,600.00 |
| 2 | *Trimming Land Company, Inc. | \$145,974.00 |
| 3 | TruGreen LandCare, a general partnership | \$163,928.00 |
| 4 | West Coast Arborists, Inc. | \$235,104.00 |

*MWBE/DBE
+LSBE

FINANCIAL INFORMATION:

| | |
|---|--------------|
| Amount of estimate | \$144,060.00 |
| Amount of recommended contract | \$122,600.00 |
| Amount of recommended contract below estimate | \$ 21,460.00 |

The amount of the recommended contract is 14.9 percent below the estimate.

This project is included in the Fiscal Year 2004-05 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Orozco Landscape and Tree Co., an MBE, has no MWBE subcontractors/suppliers under this contract. This contract does not have a Federal- or State-mandated DBE goal.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsection (j), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 60 working days. It is estimated that the work will start in February and be completed in May 2005.

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AWARD OF CONTRACT
January 4, 2005

PROJECT ID NO. RMD4146007, PARKWAY TREE TRIMMING, RD 142, FY 2004-05
(in the vicinities of City Terrace and East Los Angeles), Supervisorial District 1

TYPE OF WORK: Trimming and removal of parkway trees.

CALL FOR BIDS DATE: November 16, 2004 (Synopsis 38)

BID OPENING DATE: December 14, 2004

BID SUMMARY:

| | |
|---|-------------|
| *Trimming Land Company, Inc., a corporation | \$83,426.00 |
| 10513 Dolores Avenue | |
| South Gate, California 90280 | |
| (323) 569-4498 | |

*MWBE

Treesmith Enterprises, the apparent low bidder, submitted a bid proposal without the required bid guaranty. Treesmith Enterprises was considered nonresponsive and its bid rejected in accordance with the Instructions to Bidders, Part H, "Nonresponsive Bids and Bid Rejection."

FINANCIAL INFORMATION:

| | |
|---|-------------|
| Amount of estimate | \$69,444.00 |
| Amount of recommended contract | \$83,426.00 |
| Amount of recommended contract above estimate | \$13,982.00 |

The amount of the recommended contract is 20 percent above the estimate which was based on the bid price history of the various items. A review of the estimate indicates that the prices of several items were below current market prices. We do not believe that readvertising the project will result in lower bids. Therefore, we recommend award of the contract to Trimming Land Company, Inc.

This project is included in the Fiscal Year 2004-05 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Trimming Land Company, Inc., an MBE, has no MWBE subcontractors/suppliers under this contract. This contract does not have a Federal- or State-mandated DBE goal.

ENVIRONMENTAL DOCUMENTATION:

This project is categorically exempt pursuant to Class 1, Subsection (j), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 40 working days. It is estimated that the work will start in February and be completed in April 2005.

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